

Remarks

Reconsideration of the instant application is respectfully requested in light of the above-amendments and following remarks.

I. STATUS OF THE CLAIMS

Claims 1-4, 9, 11-14, and 17-19 are now pending. Claim 1 has been amended to address an informality. Claims 14 has been amended to incorporate the limitations of claim 16, and claim 16 has been canceled in this amendment without prejudice. No new matter has been added.

II. THE OBJECTION TO CLAIM 1 IS OBLIVIATED

The Examiner objected to claim 1 due to an informality. In particular, the Examiner noted that a phrase erroneously appeared twice in such claim.

In response, applicants have amended claim 1 to delete one occurrence of the phrase as suggested by the Examiner. Accordingly, the objection is obviated.

III. CLAIM 13 IS DEFINITE

The Examiner rejected claim 13 under 35 U.S.C. 112, second paragraph as being indefinite. In particular, the Examiner stated that claim 13 lacked antecedent basis for the phrase “the nonionic surfactant”.

In reply, applicants have amended claim 13 to depend from claim 12 as suggested by the Examiner, to provide antecedent basis for “the nonionic surfactant.” Accordingly, the rejection should be withdrawn.

IV. CLAIM 14 IS PATENTABLE OVER DECOSTER ET AL

The Examiner rejected claim 14 under 35 U.S.C. 102, as being anticipated by Decoster et al, US 2003/0147827.

In reply, applicants have amended claim 14 to incorporate the limitation of original claim 16 wherein “the weight ratio of the anionic surfactant: amphoteric surfactant is from about 1:1 to about 1:2” in the claimed composition. Decoster fails to teach or suggest any composition as now claimed in claim 14 and fails to teach or suggest

the unexpected properties found by applicants to be associated therewith. Accordingly, Claim 14 as amended is patentable over Decoster, and the Examiner's rejection should be withdrawn.

V. THE PROVISIONAL DOUBLE PATENTING REJECTIONS ARE RENDERED MOOT

The Examiner maintained the provisional rejections of all pending claims under the doctrine of obviousness-type double patenting in view of: the claims of copending Application No. 10/650,226; and the claims of copending Application No. 10/650,495.

Because such provisional rejections should now be the only rejections remaining in view of the amendments and remarks herein, and to applicants knowledge, no patent has issued based on the above-cited applications, applicants submit such rejections should be withdrawn pursuant to MPEP 804(I)(B), and the instant case allowed. Should any of the above applications issue into a patent prior to allowance of the instant application, the Examiner is requested to contact the undersigned to allow applicants to consider filing a Terminal Disclaimer, or otherwise overcome any resulting non-provisional double patenting rejection.

VI. CONCLUSION

In light of the above amendments and remarks, applicants respectfully submit the application is in condition for allowance and requests an early notice of allowance for this application. Should the Examiner have any questions regarding this submission, please contact the undersigned.

Respectfully submitted,

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